

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 20, 2011**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2194** by Taylor, Larry (Relating to certain election practices and procedures; providing a penalty.), **Committee Report 2nd House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend the Election Code related to certain election practices and procedures, including eligibility requirements for regular and volunteer deputy registrars.

The bill would amend the Election Code to prohibit paying or receiving compensation for assisting voters based on number of voters assisted or a quota and would create a Class A offense for a violation. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both.

The bill would repeal Section 32.051(e) of the Election Code.

The bill would require the Secretary of State to implement a program to allow each commissioners court participating in the program to eliminate county election precinct polling places and establish countywide polling places for certain elections and could select only a certain number of counties to participate based on population. Each county that previously participated in the countywide polling place program would be authorized to continue participation if the commissioners court approves participation and the Secretary of State determines the county's participation was successful. The bill would specify that certain subsections would not apply to a county participating in the program.

The presiding judge of a central counting station, in cooperation with the county clerk, would be authorized to withhold the release of unofficial election results until the last voter has voted.

The bill would amend Section 573.061 of the Government Code to specify that Section 573.041 would not apply to the appointment of an election clerk under Section 32.031 of the Election Code who is not related in the first degree by consanguinity or affinity to an elected official of the authority that appoints the election judges.

Effective January 1, 2012, the bill would repeal Sections 63.005, 63.007, and 63.008 of the Election Code.

**Local Government Impact**

Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication. No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 307 Secretary of State

**LBB Staff:** JOB, KJG, TP, JT, JB, BTA